

REMARKS

Claim Rejections

Claims 9 and 10 have been rejected under 35 U.S.C. § 101 as allegedly being directed to nonstatutory subject matter. The Examiner alleges that claims 9 and 10 do not provide a useful concrete and tangible result, and further that claim 10 is drawn to a computer program *per se*.

Applicants have amended claim 9 to more clearly recite the useful and tangible result provided by the claim, i.e., the interpretation of reflectometry information based on specific parameters. Applicants submit that these amendments are supported in the specification at least for example at page 7, line 29-page 8, line 1. No new matter has been added.

Claims 10 has been amended to recite a processor program product including a tangible computer readable storage medium containing a set of instructions for enabling the process to perform operations. Applicants have also amended claim 10 to more clearly recite the useful and tangible result provided by the claim. Support for this amendment is found throughout the specification and drawings at least, for example, at page 7, line 29-page 8, line 1, and at page 8, line 30-page 9, line 3. No new matter has been added.

Applicants submit that amended claims 9 and 10 are drawn to statutory subject matter and recite useful concrete and tangible results. Applicants therefore respectfully request that the § 101 rejections of these claims be withdrawn.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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